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August 7, 2006

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HENRY ANDRAE (Retired)

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AUG 0 7 2006

Missouri Public Service Commission

Mr. James A. Merccil, Jr., P.E. Assistant Manager-Engineering, Water & Sewer Department Missouri Public Service Commission PO Box 360 Jefferson City, MO 65102

Re:

Aqua Missouri Inc.

Dear Mr. Merceil:

Please find enclosed two (2) original complaints I am filing on behalf of Jason Becker and Becker Development Company against Aqua Missouri, Inc.

Thank you very much for your attention and should you have any questions, please feel free to call.

Sincerely,

HENDREN ANDR*A*E, LL

Keith A. Wenze

kwenzeka)hendrenandrae.com

KAW:rh
c: Jason Becker
Marc Ellinger
Enclosure



Jason Becker, Becker Development Company,)	Missouri Public Service Commission
Complainant,)) Case No.	
vs.)	
Aqua Missouri, Inc.)	
Respondent.)	

COMPLAINT

- Complainant resides at 8723 Nine Hills Lane, Centertown, Missouri, 1. 65023.
- 2. Respondent, Aqua Missouri, Inc., 5402 Business Highway, Ste. 3, Jefferson City, Missouri 65102, is a public utility providing service to the service area where Becker Development Company owns property.
- As the basis of this complaint, complainant states as the following facts: Complainant owns several lots in the Lake Carmel Subdivision. Respondent maintains a certificate from the Public Service Commission for the provision of services to the service area wherein the Lake Carmel Subdivision is located. Complainant has requested on numerous occasions that respondent provide services to complainant. Attached hereto as Exhibit A is a letter from Dale W. Johnson-Manager Water and Sewer Department of the Missouri Public Service Commission dated September 29, 2005 wherein Aqua Missouri, Inc. is directed to take actions needed to meet the current need for services to established lots. Complainant has been seeking service from respondent since approximately September, 2003.
- The complainant has taken the following steps to present this complaint to the respondent: Complainant has met with representatives of respondent's on numerous occasions. In addition, Complainant and respondent have met with representatives of the Public Service Commission and Department of Natural Resources on several occasions at which time this complaint was presented to respondent.

WHEREFORE, complainant now requests the following relief: An order from the Missouri Public Service Commission ordering Aqua Missouri, Inc. to take the actions needed to meet the current need for service to established lots to Lake Carnfel.

Signature of Complainant Sector



Commissioners

JEFF DAVIS Chairman

CONNIE MURRAY
STEVE GAW

ROBERT M. CLAYTON III LINWARD "LIN" APPLING

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
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WESS A. HENDERSON Executive Director

ROBERT SCHALLENBERG
Director, Utility Services

WARREN WOOD
Director, Utility Operations

COLLEEN M. DALE Secretary/Chief Regulatory Law Judge

> DANA K. JOYCE General Counsel

September 29, 2005

Ms. Tena Hale-Rush Aqua Missouri, Inc. P.O. Box 7017 Jefferson City, MO 65102

RE: Lake Carmel Sewer System

Dear Ms. Hale-Rush:

I am writing this letter as a follow-up to the meeting on August 29 at the DNR's offices. In particular, I am providing the Water & Sewer Department Staff's perspective of what Aqua Missouri, Inc. (AquaMo) needs to accomplish regarding sewer service in the Lake Carmel service area. An outline of the actions that the Staff believes are needed is set out below.

- * AquaMo must take the actions needed to meet the current need for service to established lots where no extension of collecting mains is necessary for hookup, unless there is documentation in the context of a pipeline extension regarding a need for the developer of such lots to address treatment capacity. As the Staff mentioned on several occasions during the meeting, this issue should not be an issue.
- * AquaMo should produce an engineering report that proposes and evaluates options on how to meet new requests for service, particularly the new "phase" of the development, and how such requests may affect the current service provided. As an alternative, AquaMo could utilize the engineering report apparently already produced by the developer.
- * Tariff changes can be made, and probably should be made, to allow for a new CIAC charge, investments by AquaMo and investments by the developer, etc. for treatment capacity. These matters need to be discussed by AquaMo and the Staff and AquaMo then needs to propose the actual tariff changes for the Staff's, and eventually the Commission's, consideration and approval.

* Communication on these issues needs to be directly between those persons at AquaMo, locally or corporately, who will make the decisions and the Water & Sewer Department Staff, including a possible phone conference or a meeting at the PSC offices.

I look forward to continued discussions with the appropriate company representatives regarding the matters that are the subject of this letter, or on any other matters that need to be addressed. Please feel free to contact by phone or e-mail if you have any questions about the contents of this letter or if you need something further.

Sincerely,

/s/ Dale W. Johansen

Dale W. Johansen – Manager Water & Sewer Department

Copies: Keith Krueger

Jim Merciel Jim Russo Martin Hummel Jerry Scheible